

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MICHAEL DUANE SMITH,

Plaintiff,

Case No. 05-70467

v.

District Judge Arthur J. Tarnow
Magistrate Judge R. Steven Whalen

CITY OF MOUNT CLEMENS,
a Municipal Corporation, et al.,

Defendants.

ORDER

Before the Court is Plaintiff's Emergency Motion for Receivership/Bond [Docket #18], premised on the dissolution of then-Defendant Mount Clemens Police Department. However, the Police Department, which was not the proper party in interest, has been dismissed as a Defendant, and the City of Mount Clemens—still a viable municipal entity—has been substituted as the Defendant in its place. Accordingly,

Plaintiff's Motion [Docket #18] is DENIED.

SO ORDERED.

S/R. Steven Whalen
R. STEVEN WHALEN
UNITED STATES MAGISTRATE JUDGE

Dated: March 6, 2006

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing order was served on the attorneys and/or parties of record by electronic means or U.S. Mail on March 6, 2006.

S/Gina Wilson
Judicial Assistant